

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. _____

Charles L. Caddell
Attorney Pro Se
Aspen Village Unit #103
615 Janet Street
Helena, Montana 59601
Phone 406-443-8205

FILED

JUN 30 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Charles L. Caddell
Appellant,

v.

NOTICE OF APPEAL


Helena Elderhousing Inc. a
Montana Corporation &
Accessible Space Inc., a
Minnesota Corporation,
Appellee's

NOTICE is given that Charles L. Caddell, the Appellant above-named and who is Plaintiff in that cause of action filed in the First Judicial District, in and for the County of Lewis & Clark, as Cause No. EVD 2009-406, hereby appeals to the Supreme Court of the State of Montana from an Order entered in this action on the 9th day of June 2010 and its Filing on June 7, 2010.

APPELLANT FURTHER CERTIFIES:

1. That this appeal is not subject to the mediation process required by M.R. App. P. 7 because it is not an appeal from a money judgment, no judgment having been filed.
2. This appeal is not an appeal from an order certified as final under M.R.Civ. P. 54(b).
3. This notice required by M.R. App. P. 27 has been given within 11 days of date hereof to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of the statute Rule of Civil Procedure Rule 60(c) eff Oct 1, 1995, or will be given within the 11 day time frame from date hereof.
4. That all available transcripts of the proceedings have not been ordered from the court reporter contemporaneously with the filing of this notice of appeal because no such record exists, the Docket Record being all Lower Court Record required.
5. That included herewith is the filing fee prescribed by law.

Dated this 30th day of June 2010.


Charles L. Caddell, Attorney Pro Se

CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of this foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that;
I have served true and accurate copies of the foregoing NOTICE OF APPEAL on::

Nancy Sweeney
Clerk of the District Court
228 Broadway Avenue Room #104
P.O. Box 158
Helena, Montana 59624-0158
and

Crowley Fleck PLLP
45 Discovery Drive
P.O. Box 10969
Bozeman, Montana 59719
Attorneys for Appellees


and, while a Genevia Pearson is a named party and a person not represented by Counsel, and not a party concerned with this appeal I have mailed a copy of this NOTICE OF APPEAL to her address listed in Court Record in this way:

Geneve Perrson
aka Genevia Pearson
Box 4503
Helena, Montana 59604

and to, [because of Rule 27] a copy of NOTICE OF APPEAL to:

Steve Bullock Attorney General
State of Montana
Box 201401
Helena, Montana 59620

Dated this 30th day of June, 2010.


Charles L. Caddell/Appellant
Aspen Village Unit #103
615 Janet Street
Helena, Montana 59601